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November 11, 2010

VIA CM/ECF

Honorable Ann Marie Donio, USMJ
United States District Court
For the District of New Jersey
Mitchell H. Cohen Courthouse
1 John F. Gerry Plaza
Camden, New Jersey 08101

**RE: Holtec International Corporation v. Preferred Metal Technologies, Inc. v. UPS Ground Freight, Inc. d/b/a UPS Freight f/k/a Overnite Transportation
Civil Action No. 09-CV-274(RMB/AMD)
Our File No. 2514.114**

Dear Judge Donio:

We represent the Third-Party Defendant, UPS Ground Freight, Inc. d/b/a UPS Freight f/k/a Overnite Transportation ("UPS Freight").

Currently, and with the permission of the court, we are filing a motion for summary judgment slated for filing on November 12, 2010. We write to respectfully request a brief extension to file the papers from Friday, November 12, 2010 to Wednesday, November 17, 2010.

Counsel for the Plaintiff and for the Defendant/Third-Party Plaintiff have each graciously consented to our request. There have been no prior extensions of the November 12, 2010 date although for other reasons throughout this litigation, the date to file dispositive motions has been changed 2 prior times. The time to file the dispositive motion is currently November 12, 2010. With the brief extension requested, the deadline

to file dispositive motions will be November 17, 2010. This requested extension of five (5) days does not affect other scheduled dates.

We respectfully submit there would be no prejudice to the parties in the granting of this request. The reason for this request is that an emergent situation arose in litigation pending the Superior Court of New Jersey, Chancery Division, Bergen County, entitled ILP v. Supremo, BER-C-388-09, which has taken an unexpectedly significant amount of time to address. Further, we have been advised a representative of the client needed for certifications in this case for the motion for summary judgment is unexpectedly not available but he will be available shortly.

We make this request for a short extension of time so we may complete the dispositive motion papers and have them filed with only a short extension of time.

We thank the Court for its attention to this matter.

Respectfully submitted,

Nowell Amoroso Klein Bierman, PA



Thomas C. Martin

TCM/bb

Cc: Abigail Bowen, Esq.

Steven Kudatzky, Esq.